

**DEEPHAVEN CITY COUNCIL MEETING
MONDAY, OCTOBER 15, 2018
MINUTES**

1. **CALL MEETING TO ORDER:** Mayor Paul Skrede called the meeting to order at 7:00 p.m.

PRESENT: Mayor Paul Skrede, Councilmember's Kent Carlson, Steve Erickson, Darel Gustafson and Tony Jewett

STAFF: City Administrator Dana Young

2. **PLEDGE OF ALLEGIANCE**

The Council recited the Pledge of Allegiance.

3. **APPROVE CONSENT AGENDA**

Motion by Councilmember Gustafson to approve the Consent Agenda, consisting of the following items:

- A. Approve October 1, 2018 City Council Minutes
- B. Adopt Resolution No. 40-18, Approving a Lot Combination Request

Seconded by Councilmember Erickson. Motion carried 5-0.

4. **MATTERS FROM THE FLOOR**

Boy Scouts Ryan Cunningham and Emile Aden were present to obtain their Citizenship in the Community Merit Badge.

5. **UNFINISHED BUSINESS**

- A. **Approve Pay Estimate No. 5 to B. Streeter & Co. for the Warming House Project**

Administrator Young stated that the Contractor has submitted Pay Request No. 5 in the amount of \$17,451.74 for Council approval. He stated that the total invoices paid to date, including Pay Estimate No. 5, equals \$272,558.62, which leaves a balance of \$52,361.38 to be paid to the contractor on this project.

Motion by Councilmember Erickson to authorize Pay Request No. 5 in the amount of \$17,451.74 to B. Streeter & Company for the 2018 Thorpe Park Warming House Project. Seconded by Councilmember Jewett. Motion carried 5-0.

B. Other

There was no other Unfinished Business this evening.

6. NEW BUSINESS

A. Present Ordinance No. 07-11, Amending Snowmobile & ATV Regulations

Administrator Young stated that discussion was held at the September 11th and October 9th Public Works Committee meeting concerning a complaint that the current snowmobile and ATV ordinance was unclear in prohibiting the use of ATV's on city streets, with the sole exception of allowing ATV's to access snowmobile routes to get to and from Lake Minnetonka during winter months. He stated that in order to provide greater clarity, the Public Works Committee recommended the inclusion of the following language in Section 705.03 (e), which states that it is unlawful to operate a snowmobile or ATV:

“(e) On City streets, except when traversing to or from **Lake Minnetonka, when it is frozen,** **to** an approved snowmobile or ATV area by the shortest legal route.”

Further discussion was held on the distinction between subsection (c) and (e).

Administrator Young stated that Ordinance No. 07-11 will be posted and then presented for adoption at the November 8, 2018 Council meeting.

B. Discuss Request to Consider the Sale of Monaltrie Property

Administrator Young stated that Jake & Laura Saba reside at 3850 Virginia Avenue and have expressed an interest in purchasing the abutting city-owned property located behind their property at 3855 Monaltrie Avenue in order to expand the back of their current house and backyard.

He stated that the city-owned lot at 3855 Monaltrie Avenue abuts another city-owned lot at 3845 Monaltrie Avenue, both of which are part of a drainage control area for the immediate area. The lot at 3845 Monaltrie Avenue contains a retention pond and inlet pipe that directs water to Virginia Avenue and eventually to a wetland area across Minnetonka Blvd.

He stated that on October 9th, the Public Works Committee discussed whether it would be in the City's interest to sell this property to the Saba's and, if so, under what conditions. The Public Works Committee recommended that the City Engineer determine the impact that the potential sale of 3855 Monaltrie Avenue would have on the drainage system constructed in the adjoining city-owned lot at 3845 Monaltrie Avenue.

Councilmember Carlson stated that we might want to conditions on the property in terms of the amount of fill material brought in.

Mayor Skrede noted that there is a storm water pipe from the retention pond to Virginia Avenue and a portion of this pipe might be located on the city property that is proposed to be sold. He added that filling in this property could have a real impact on the pipe.

Councilmember Carlson stated that it is not a huge cost to relocate a pipe.

Mayor Skrede stated that the Public Works Committee doesn't authorize expenditures, which is why this item is before the City Council.

Further discussion was held on the history of these two properties on Monaltrie Avenue and how they came to be owned by the City.

Councilmember Carlson stated that he doesn't want to give up on our drainage in this area.

Councilmember Gustafson asked what the cost would be to have the City Engineer determine the impact that the sale of 3855 Monaltrie Avenue would have on the drainage in this area.

Administrator Young estimated that it would cost approximately \$2,500.00 for the City Engineer to shoot some elevations of the lot.

Councilmember Gustafson stated that he doesn't think it's worth \$2,500.00 to evaluate the drainage.

Councilmember Erickson agreed. He added that an easement for a driveway off of Monaltrie Avenue might be a better solution.

Councilmember Carlson stated that the City could sell off a smaller portion of the lot.

Motion by Councilmember Jewett to authorize the City Engineer to report on the impact that the potential sale of 3855 Monaltrie Avenue would have on the drainage system constructed in the adjoining city-owned lot at 3845 Monaltrie Avenue.

Councilmember Gustafson stated that we already have a water management solution with these two lots and why mess with it. He stated that he thinks it's worth more for water management capabilities than cash.

Councilmember Erickson agreed that the lot is worth more as is.

Councilmember Carlson agreed that we don't need to consider the sale of this lot.

Mayor Skrede stated that the findings of the City Engineer are immaterial if the Council doesn't feel it is appropriate to sell the lot.

Councilmember Jewett stated that the only benefit of an analysis by the City Engineer is if this request comes up again. He stated that he is fine with withdrawing his motion.

Councilmember Carlson stated that he isn't sure what the intended purpose of purchasing this property would be.

Councilmember Jewett stated that if the Saba's purchase the property, they would come up with an intended use.

Councilmember Erickson noted that it would be advantageous for the City to purchase other lots that the City could use for storm water retention.

Councilmember Jewett withdrew his motion.

C. Discuss Request to Extend Public Water System to 4730 Spring Creek Drive

Administrator Young stated that Don Miller, a resident at 4730 Spring Creek Drive, is asking the Deephaven City Council for permission to obtain water service from the City of Minnetonka. Don's home is located near the Minnetonka City border with water service available nearby on Shady Lane North. He stated that Don is experiencing some problems with his well and the location of a new well would have some setback issues.

He stated that since 2001, the City of Minnetonka has always been adamant about not extending public water service into Deephaven unless they are legally required to do so (Deephaven Woods) or to provide connection to a Deephaven resident who is within their water service area but had declined the original opportunity to connect to the Minnetonka water system when it was extended in the 1970's.

He stated that when Don Miller contacted staff, staff referred him to the City of Minnetonka with his request to determine whether Minnetonka would have any interest in extending water to his property. After contacting Minnetonka, Administrator Young stated that he was sent an email from Donna Gause, Minnetonka's Utility Account Technician, who requested that a letter be sent to Minnetonka on behalf Don Miller requesting a determination as to whether to provide him with water service.

He stated that the Public Works Committee reviewed this request on October 9th and recommended that, while acknowledging there is no benefit to the City of Deephaven from this extension, the Committee would not be opposed to the City Council authorizing a letter to be sent to the City of Minnetonka on the behalf of Don Miller and his request for an extension of the Minnetonka public water system.

Mayor Skrede noted that Minnetonka is probably not comfortable with negotiating with one of our residents on this issue.

Councilmember Gustafson asked about the cost of the water line extension.

Mayor Skrede stated that lots in Shorewood are being assessed \$9,500.00 for connection to Shorewood water. He stated that it may be similar to that amount.

Councilmember Erickson stated that he thought the cost would be closer to \$40,000.00.

The Council authorized Administrator Young to send a letter to the City of Minnetonka on behalf of Don Miller requesting the extension of public water to his property at 4730 Spring Creek Drive.

D. Other

There was no other New Business this evening.

7. REPORTS FROM STANDING COMMITTEES

A. Public Works Committee

Administrator Young presented a review of the Public Works Committee meeting held on October 9, 2018 on the following items:

- Discussed a pedestrian & bicycle crosswalk at the LRT Trail and Minnetonka Blvd
- Reviewed proposed revisions to the ATV Ordinance
- Discussed the 2018-2019 Deer Management Program
- Discussed a proposed Mutual Aid Agreement for Public Works
- Reviewed a proposed security system at the city marinas
- Reviewed No Parking Sign Request at Sandy Beach
- Discussed the request for Minnetonka water connection at 4730 Spring Creek Drive
- Discussed a request for hammerhead turnaround on Honeysuckle Road
- Discussed interest in selling Monaltrie city-owned property
- Recommended approval of the use of a portion of the Carson's Bay launch parking for a contractor to repair the LRT Trail

8. ADJOURNMENT

Motion to adjourn the Regular Council meeting by Councilmember Erickson, seconded by Councilmember Gustafson. Motion carried 5-0. The meeting adjourned at 7:42 p.m.

9. SPECIAL COUNCIL BUDGET WORKSESSION

Mayor Skrede called the Special Council Budget Worksession to order at 7:45 p.m.

A. Review 2019 Park Improvement Fund Budget

Administrator Young presented the 2019 Park Improvement Fund Budget for Council review.

B. Review 2019 Recycling Fund Budget

Administrator Young presented the 2019 Recycling Fund Budget for Council review.

C. Review 2019 Marina Fund Budget

Administrator Young presented the 2019 Marina Fund Budget and 5-Year Marina Fund Projections for Council review.

D. Review 2019 Capital Improvement Fund Budget

Discussion on the 2019 Capital Improvement Fund Budget was postponed until next month pending further information.

E. Review 5-Year Budget Projections

Administrator Young presented the 5-Year Budget Projections for Council review.

10. ADJOURNMENT

Motion to adjourn the Special Budget Worksession by Councilmember Erickson, seconded by Councilmember Gustafson. Motion carried 5-0. The meeting adjourned at 9:30 p.m.

Respectfully submitted,
Dana H. Young, City Administrator